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PTO/SB/21 (02-04) Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paderwork Reduction Act of 1995, no dersons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/624_867 **TRANSMITTAL** CENTRAL FAX CENTER Filing Date 07/22/2003 **FORM** First Named Inventor KOBAYASHI Art Unit 3766 (to be used for all correspondence after initial filing) Examiner Name BOCKELMAN, MARK Afterney Docket Number 1625-163 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form to Technology Center (TC) Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Peution (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request identify below). Response to Restriction Requirement Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Phonty Document(s) Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951. Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1 52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Fum Mark D. Passier, Registration No. 40,764 Akerman Senterfitt Individual name Signature Date 6-19-06 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below Typed or printed name Mark D Passler

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) en application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of KOBAYASHI et al.

Application No. 10/624,867

Examiner: BOCKELMAN, MARK

Filed: July 22, 2003

Group Art Unit: 3766

For:

LIVING BODY STIMULATING APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

CERTIFICATE OF TRANSMISSION/MAILING

Mark D. Passier

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

This response is in reply to a restriction requirement set forth in the Office Action dated May 18, 2006, in the above-identified application, with a one month shortened statutory period, making a response due on or before June 18, 2006. This response is timely filed.

REMARKS

In the above-identified Office Action, the Examiner has issued a restriction requirement and requires election of one of the following species under 35 U.S.C. §121:

Species I:

Figure 1; or

Species II:

Figure 6.

The Office Action alleged that the species were independent or distinct because they are difference circuits with figure 6 using a signal invert. The Office Action also alleged that no claim was generic.